

**Notice of Allowability**

Application No.

09/937,559

Applicant(s)

SIBAYAMA ET AL.

Examiner

Kanji Patel

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/25/05.
- ✓ 2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- ✓ 6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ✓ 3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/27/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other Copy of FIG 4B (Conventional Art)

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard Mcgrath on 5/13/05.

The application has been amended as follows:

**Cancel claims 23-27.**

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

Designate **Figure 48** with a – **Conventional Art** --- legend.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

***Election/Restrictions***

2. Applicant's election without traverse of Species I (claims 1-22) in the reply filed on April 25 2005 is acknowledged.

Claims 23-27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected Species II and III, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/25/05.

Preliminary Amendment filed September 27 2001 has been entered and made of record.

***Allowable Subject Matter***

3. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-22 are allowed.

Prior art on record fails to teach or fairly suggest, singly or in combination, for an image retrieving device including, inter alia, an attribute information reading unit which reads attribute information containing at least image pickup positions where the sequence of image pickup data has been obtained and the image pickup times thereof, a matching unit which matches the sequence of image data held in the image data holding unit with the attribute information read by the attribute information reading unit based upon the image pickup times, an image database which holds the matching relationship that has been determined by the matching unit, a map data holding unit which holds map data; a map display processing unit which displays the map data on a

Art Unit: 2625

map display unit based upon the map data, an image retrieving unit which retrieves the image database, a locus display processing unit which allows the image retrieving unit to retrieve for image data having image pickup positions within a map displayed by the map display unit, and displays the retrieved pickup positions on the map as a locus; an image display unit which displays the sequence of image data, a position specifying unit which specifies a position of the map displayed on the map display unit; and an image processing unit which acquires image data corresponding to the image pickup position in the vicinity of the position specified by the position specifying unit from the image data holding unit, and reproduces and displays the resulting image data on the image display unit.

#### **Other prior art cited**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Amenta (US 6,342,917 B1) discloses an image recording apparatus and method using light fields to track position and orientation.

Nakamura et al. (US 6,215,914 B1) disclose a picture processing apparatus.

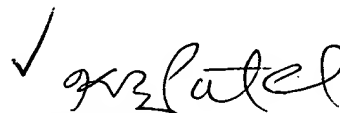
Endo et al. (US 6,289,278 B1) disclose a vehicle position information displaying apparatus and method.

### Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kanji Patel whose telephone number is (703) 305-4011. The examiner can normally be reached on Monday to Thursday from 8:00 a.m. to 6:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta, can be reached on (703) 308-5246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

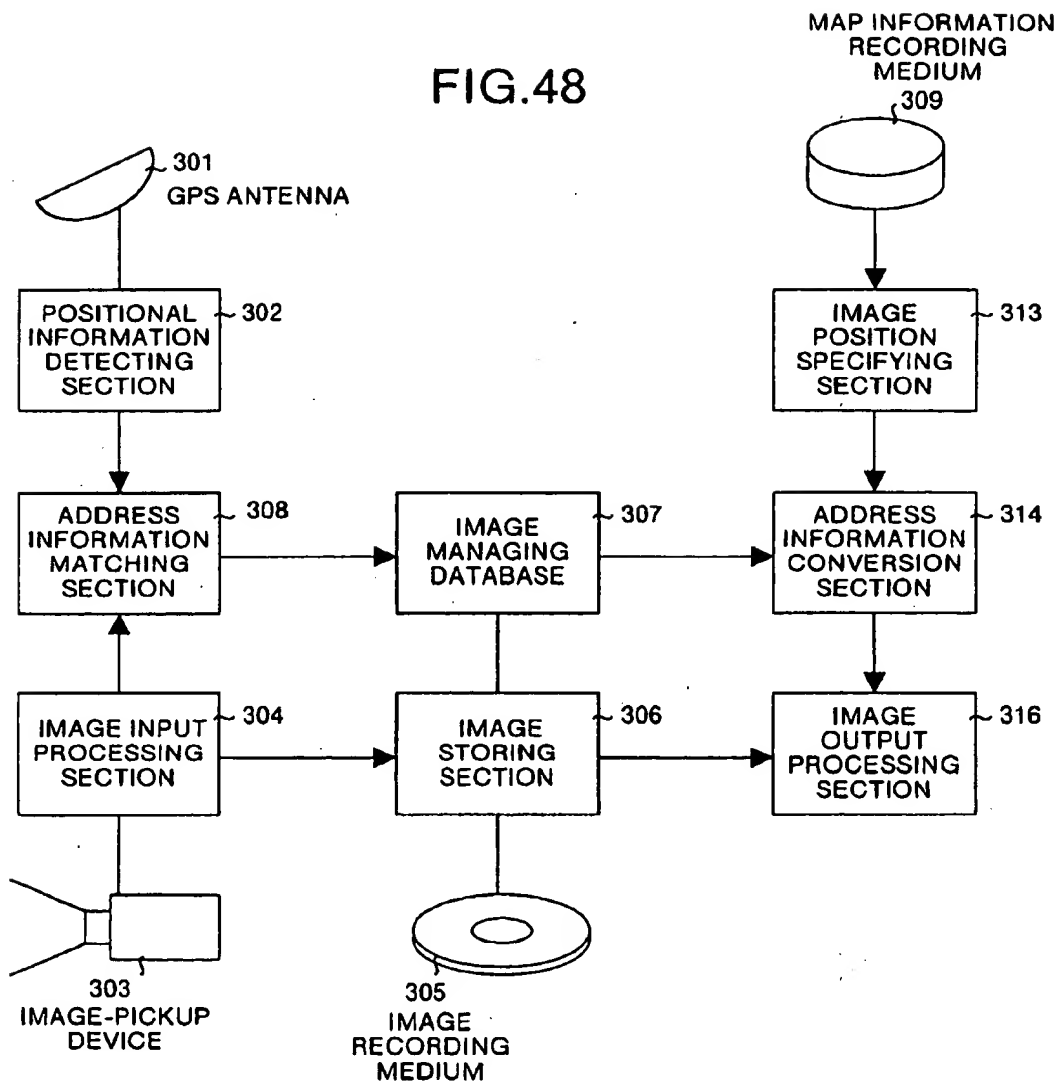
Kanji Patel  
Art Unit 2625  
5/13/05

✓   
**KANJIBHAI PATEL**  
**PRIMARY EXAMINER**

REPLACEMENT SHEET

48/48

FIG.48



CONVENTIONAL ART